



STATE OF WASHINGTON
APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT



For filing with the Department of Ecology or with County Conservancy Boards

A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF ECOLOGY MUST ACCOMPANY THIS APPLICATION

(Check all that apply.)

- ☐ Change purpose(s) of use
☒ Add purpose(s) of use
☐ Change point(s) of diversion/withdrawal
☒ Add point(s) of diversion/withdrawal
☒ Change/transfer place of use
☐ Other (i.e. consolidation, intertie, trust water)

Explain: _____

FOR OFFICE USE ONLY <i>YAK</i>	
CHANGE No. <i>C64-30371P</i>	WRIA <i>37</i>
DATE ACCEPTED <i>01/29/2013</i> BY <i>[Signature]</i>	
FEE \$ <i>[Signature]</i>	REC'D <i>12/19/2012</i>
CHECK No. <i>[Signature]</i>	
ECY Coding: 001-002-WR10285-000011	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME Sunnyside Dairy, LLC	PHONE NO. (509) 837-4779	FAX NO. ()
ADDRESS 4581 Maple Grove Rd		
CITY Sunnyside	STATE WA	ZIP CODE 98944

CONTACT NAME (IF DIFFERENT FROM ABOVE) Henry Oord	PHONE NO. () same	FAX NO. ()
ADDRESS same		
CITY	STATE	ZIP CODE

LEGAL LAND OWNER or PART OWNER NAME OF PROPOSED PLACE OF USE Sunnyside Dairy, LLC	PHONE NO. () same	FAX NO. ()
ADDRESS same (note: also see page 3 for party who will temporarily lease a portion of this right)		
CITY	STATE	ZIP CODE

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER G4-30371P	RECORDED NAME(S) Sunnyside Dairy, LLC (via assignment)
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application. Proof of Appropriation has been filed for full use, the permit is waiting for a certificate.

FOR OFFICE USE ONLY			
APP. NO. _____	PERMIT NO. _____	CERT. NO. _____	CERT. OF CHANGE NO. _____

64-30371

ECY 040-1-97 (Rev. 03/11) If you need this document in an alternate format, please call the Water Resources Program at 360-407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

YAKI-12-03

C64-30371P

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Two wells	1	W1/2	SW	35	11	22	22100221401	AFN489
	2	W1/2	SW	35	11	22	22100221401	AAS901

B. Proposed (retain existing and add:)

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Add Three wells		W1/2	SW	02	10	22	Note [1]	not drilled yet
(Add 1st two wells for dairy)		SE	NE	03	10	22	Note [2]	not drilled yet
(Add one well for industrial use lease==>)		N1/2	SE	14	10	23	231014-42001	unknown

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☒ YES ☐ NO PROPOSED: ☒ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:

Applicant owns existing two wells and the two proposed well sites in Sections 2 and 3. E. & J. Gallo Winery is the lessee operator of the third well being added under No. 3.B. above, within Section 14.

[1] 221002-33002, 221002-33001, 221002-32004, 221002-32005, ptn 221002-32003, ptn 221002-31001.

[2] 221003-14402, 22100314401.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment. Well Reports and locations for existing wells are attached.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
dairy operation for 2000 animals	300 gpm	156	continuous
group domestic supply for two homes and dairy facilities	same	3	continuous

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
dairy operation	245 gpm	136	continuous
group domestic supply for two homes and dairy facilities	same	3	continuous
industrial supply*	55	20	continuous

*including winery purposes

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
See attachment.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
See attachment.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							
Applicant owns all lands at dairy site and E.J. Gallo Winery is the lessee operator at the industrial purpose (winery) site.							

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map. Maps are attached.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): <u>State-issued documents are G4-30371P, G4-30398P, CG4-CCV1-4P278, CS4-00135CTCL at dairy site. Roza shares at winery site. Permit exempt rights.</u>

6. Remarks and Other Relevant Information:

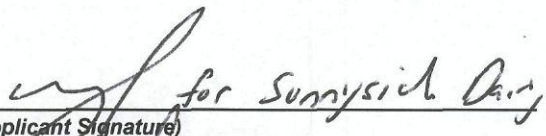
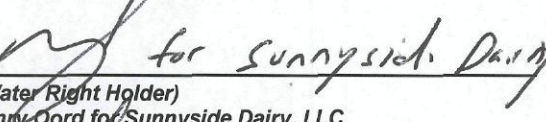
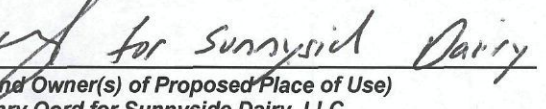
An additional well or wells are needed to efficiently pump the water.
Existing well locations are attached.
IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

 (Applicant Signature) Henry Oord for Sunnyside Dairy, LLC	_____ (Applicant Signature)	____/____/____ (Date)
 (Water Right Holder) Henry Oord for Sunnyside Dairy, LLC	_____ (Water Right Holder)	____/____/____ (Date)
 (Land Owner(s) of Proposed Place of Use) Henry Oord for Sunnyside Dairy, LLC	_____ (Land Owner(s) of Proposed Place of Use)	____/____/____ (Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

☐ APPLICATION FEE NOT ENCLOSED

☐ MAP NOT INCLUDED or INCOMPLETE

☐ ADDITIONAL SIGNATURES REQUIRED

☐ SECTION _____ IS INCOMPLETE

☐ OTHER/EXPLANATION: _____

STAFF: _____

DATE: ____/____/____

6. Remarks and Other Relevant Information:

An additional well or wells are needed to efficiently pump the water.

Existing well locations are attached.

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

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(Applicant Signature)
Henry Oord for Sunnyside Dairy, LLC

(Applicant Signature)

____/____/____
(Date)

(Water Right Holder)
Henry Oord for Sunnyside Dairy, LLC

(Water Right Holder)

____/____/____
(Date)

(Land Owner(s) of Proposed Place of Use)
Henry Oord for Sunnyside Dairy, LLC

(Land Owner(s) of Proposed Place of Use)

12/12/12
(Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

Don J. Malen
Operator
E+J Gallo Winery
Letter from landowner provided upon request
600 Yosemite Blvd
Modesto, CA 95354
209.341.6716

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE
- ☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
- ☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____

ATTACHMENT

Place of Use Descriptions--Dairy Site
Existing Well Locations--Dairy Site

Current Place of Use Description

The following parcel within the S $\frac{1}{2}$ of Section 35, T. 11 N., R. 22 E.W.M.: All that part of the SW $\frac{1}{4}$ of Section 35, lying Southerly of the Southerly right-of-way line of the Roza Canal, EXCEPT the West 31 feet of that part in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPT the West 30 feet of that part in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, AND EXCEPT the South 25 feet thereof for county road rights-of-way. AND All that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35, lying South of the South right-of-way line of Roza Canal and west of a line described as: Beginning at the Southwest corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 35; thence North 01°30' West along the West line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 21.32 feet; thence North 22°41' East to the Southerly right-of-way line of the Roza Canal. AND The following parcels within the NW $\frac{1}{4}$ of Section 2, T. 10 N., R. 22 E.W.M.: Lot 2 of Short Plat recorded in Book 89 of Short Plats, page 106, under Auditor's File No. 2868751, records of Yakima County, Washington consisting of 42.38 acres and lying within the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 2; AND The S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 2, EXCEPT the West 30 feet for county road, EXCEPT the South 25 feet for county road, AND EXCEPT those portions deeded to Yakima County, Washington for road right-of-way by instruments recorded April 24, 1987, under Auditor's Files No. 2796949 and No. 2796950.

Proposed Place of Use Description

NW $\frac{1}{4}$ Section 2, T. 10 N., R. 22 E.W.M.

AND Within Section 35, T. 11 N., R. 22 E.W.M.:

That portion of SW $\frac{1}{4}$ lying southerly of southerly Roza Canal right-of-way.

AND All that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35, lying South of the South right-of-way line of Roza Canal and west of a line described as: Beginning at the Southwest corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 35; thence North 01°30' West along the West line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 21.32 feet; thence North 22°41' East to the Southerly right-of-way line of the Roza Canal.

Except county road right of ways.

Existing Wells

Dairy Well 1. Approx. 1500 ft N and 100 ft E of SW cor. Sec. 35, T. 11 N., R. 22 E.W.M.

Dairy Well 2. Approx. 50 ft N and 500 ft E of SW cor. Sec. 35, T. 11 N., R. 22 E.W.M.

ATTACHMENT

Place of Use Description--Winery Site
Existing Well Location--Winery Site
Remarks

LEASE WELL SITE:

Approximately 1300 feet west and 400 feet south from the E1/4 corner Sec. 14,
w/in N1/2SE1/4 Sec. 14, T. 10 N., R. 23 E.W.M.

LEASE PLACE OF USE:

A parcel of land located in the North 1/2 of the Southeast 1/4 of Section 14, Township 10 North, Range 23, E.W.M., records of Yakima County, Washington, more particularly described as follows:

Commencing at the 1/4 corner common to Sections 13 and 14, Township 10 North, Range 23, E.W.M.; thence North 89°29'24" West along the North line of the Southeast 1/4 of Section 14 and the centerline of Holmason Road 1333.60 feet; thence South 00°30'36" West 25.00 feet to point of beginning being on the South boundary of the North 25 feet conveyed to Yakima County, Washington, under Auditor's File Number 1495544;
thence South 17°36'42" East 358.43 feet;
thence South 25°12'43" East 52.38 feet;
thence South 46°15'25" West 912.28 feet;
thence North 27°59'59" West 1165.83 feet to the South boundary of the North 25 feet conveyed to Yakima County, Washington, under Auditor's File Number 1495544;
thence South 89°29'24" East along said South boundary 1075.67 feet to the point of beginning.

Situated in Yakima County, State of Washington.

ADDITIONAL REMARKS:

The industrial use to be added is to be made under a lease agreement wherein the rights shall revert to the dairy site lands for dairy use purposes at the expiration of the lease. This is a temporary transfer for the industrial use purpose, within the Lease Place of Use described above, for 20 af/yr and 55 gpm; from the Lease Well Site described above. Applicant to notify Ecology at termination of the lease.

Attachment
Change of G4-30371P